

07/13/93

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States Government JUL 13 3 30 PM '93 Department of Energy

Rocky Flats Office

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| RANZ W A | | |
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| HEALY T J | | |
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memorandum

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JUL 16 1993

OD CRS 07920

EG&G
ROCKY FLATS PLANT
CORRESPONDENCE

Recommendation For Extending the Public Comment Period for the Building 707 Environmental Assessment

Xavier Ascanio
Surplus Facilities Transfer Coordinator
Defense Programs

The RFO has prepared a list of pros and cons on extending the public comment period for the Building 707 Environmental Assessment (EA) to 60 days (see Attachment 1) The delay in issuing the final EA incurred by extending the public comment period results in a small increase in risk to workers and the public The RFO considers this increase acceptable in order to provide for further public review of the EA Therefore, I recommend that the public comment period be extended to 60 days

A H Paule
A H Paule
Acting Manager

cc

W Bixby, EM-60
M Karol, RFO
B Brainard-Jordan, RFO
M McCormick, RFO
P Powell, RFO
T Melberg, RFO
B Ring, RFO
C Sykes, RFO
H Mann, EG&G
G Setlock, EG&G
W Moore, EG&G

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Reviewed to Addressee
Corres Control RFP

7-19-93
DATE BY

Ref Ltr #

DOE ORDER #

ADMIN RECORD

| GROUP | ACT | INFO |
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| 11000 ERAM | | |
| 11010 PIR | | |
| 11100 PPM | | |
| 11200 ES&E | | |
| 11300 SDE | | |
| 11400 FOA | | |
| 11500 RLC | | |
| 11600 SA | | |
| 11700 TOS | | |

N. Howell
A-OW-000850

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PROS AND CONS OF EXTENDING THE PUBLIC COMMENT PERIOD ON THE BUILDING 707 EA TO 60 DAYS

PROS:

- 1 By far the most repeated question / comment at the Building 707 EA public meeting of 7/7/93 revolved around the public comment period. Several of the individuals who addressed the DOE at this meeting brought out the point that they felt they would not have enough time to comment on the EA with a 30 day public comment period.
- 2 It seems to be a united opinion of the DOE and EG&G public relations people that the public comment period should be extended to 60 days. The feeling is that this will head off a lot of criticism that the public did not have a lot of time for input and will lend credibility to the DOE's position that stakeholder involvement is important to the DOE. The community relations people feel that it's best to come out right away and announce the extension to 60 days vice leaving the public comment period at 30 days or trying to compromise at 45 (and then going to 60 only if the public cries out loudly). They feel the public here is accustomed to 60 days.
- 3 If the DOE is going to be forced into extending the comment period due to public pressure, it would make more sense to make the extension up front and take credit for it (vice being forced into later with the resulting loss in relations with the public).
- 4 A one month delay in the EA would not result in a significant increase of risk to the public or to the workers.

CONS:

- 1 Extending the public comment period to 60 days from 30 will extend the EA process by the full 30 days. The public input period is a long pole in the tent, by this point in the EA process, most all of the other work will have been completed.
- 2 With a 60 day comment period, the final EA would be issued around the end of October. This time frame would be approaching 1 year from the November 92 DOE ORR for Building 707. It is possible that some questions would arise (perhaps from the Defense Board) on the necessity to perform some sort of another ORR.
- 3 With an addition of the 30 days to the EA process, worker safety to some extent is placed to a secondary concern to the public involvement.
- 4 The public has had a lot of chances for input on the stabilization process. Forums such as the DFNSB meeting and other public meetings on Building 707 resumption have allowed for public input.
- 5 Unlike other EA's, where the public may become aware of the proposed action upon the EA becoming available for review, the public has had a lot of chance to review the proposed action over the last year. This includes a host of ways that the DOE has shared information (the 7/7 public meeting, previous meetings, tours of Building 707, etc.). A 30 day comment period would seem adequate, especially with the safety concerns of delaying the proposed action being considered.
- 6 The DOE has already gone the extra mile for public input on the B707 EA. A public scoping (and information) meeting was held on 7/7/93. Scoping meetings are required for Environmental Impact Statements but not for EA's. In addition, per 10 CFR 1021.301, the

PROS AND CONS OF EXTENDING THE PUBLIC COMMENT PERIOD ON THE BUILDING 707 EA TO 60 DAYS

DOE has committed only to providing a pre-approval public comment period of between 14 and 30 days. Even with the safety concerns of delaying implementation of the proposed action, the DOE has already provided more than the minimum required public comment period.

7 The DOE has used 30 day public comment period for other current EA's, such as the EA for the consolidation of non-nuclear production work for nuclear weapons.

8 Extension to a 60 day comment period will prevent achieving completion of the EA in 90 days, as committed to by EH.